

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
GREENBELT DIVISION**

COSTAR REALTY INFORMATION and
COSTAR GROUP, INC.,

Plaintiffs,

v.

MARK FIELD D/B/A ALLIANCE
VALUATION GROUP, *et al.*

Defendants.

Civil Action No. 8:08-CV-663-AW

DEFENDANT PATHFINDER'S MOTION FOR *IN CAMERA* REVIEW

Defendant Pathfinder Mortgage Co. moves for an *in camera* review of its unredacted billing invoices and says:

FACTS

Defendant has already submitted copies of its legal invoices to substantiate its motion for counsel fees. Those documents contain redactions because certain information is confidential attorney-client communication and is thereby privileged, or is completely unrelated to the instant motion. If necessary, defendant is prepared to submit unredacted invoices for *in camera* review.

ARGUMENT

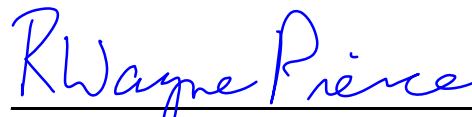
Most of the information contained in billing invoices is not privileged and does not raise the attorney-client privilege. *Maxima Corp. v. 6933 Arlington Development Ltd. Partnership*, 100 Md. App. 441, 458, 641 A.2d 977 (1994). Nevertheless, some information in billing invoices is privileged, and redaction is therefore appropriate. "[T]ime records

which also reveal the motive of the client in seeking representation, litigation strategy, or the specific nature of the services provided, such as researching particular areas of the law, fall within the privilege.'" *Maxima*, 100 Md. App. at 457 (*quoting Clarke v. American Commerce Nat'l Bank*, 974 F.2d 127, 129 (9th Cir. 1992)). Revealing this information would "hinder the parties' active litigation." *Maxima*, 100 Md. App. at 458. When billing invoices contain confidential information, "an *in camera* inspection may be appropriate to inspect alleged confidential communications to determine whether the privilege applies." *Maxima*, 100 Md. App. at 457. For this reason, defendant is specifically identifying that the detailed entries on its redacted billing invoices pose confidential communications and are therefore privileged. Defendant is, accordingly, prepared to submit unredacted billing invoices provided that the Court deems it useful and that they are submitted under seal.

CONCLUSION

For these reasons, defendant requests that the proposed order be entered.

Respectfully submitted,



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CERTIFICATE OF SERVICE

A copy of the foregoing motion and proposed order were served through the court's

electronic notification service on January 13, 2010:

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I further certify that service required by Fed. R. Civ. P. 5 was made, and that a true copy of
the above document and exhibits was served upon the following parties by U.S. mail on
January 13, 2010:

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Pro se defendant



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